

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of: Keith D. Lunnen, Theodore Davis and Geoffrey G. Wilson

Application No.: 10/668.047

Group No.: 1642

Filed: September 22, 2003

Examiner: not yet assigned

For: Method for Cloning and Expression of *SbfI* Restriction Endonuclease and *SbfI* Methylase in *E. coli*

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS  
—NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed January 22, 2004.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

SMALL ENTITY STATUS

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*;  
Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

X with sufficient postage as first class mail.

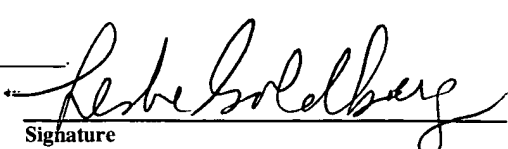
**37 C.F.R. § 1.10\***

G as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Date: February 10, 2004

Leslie Goldberg

(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**III.** An assertion that this filing is by a small entity was filed on September 22, 2003 (original).

#### **COMPLETION FEES**

**IV.**

**1. Filing Fee**

Original patent application (37 C.F.R. § 1.16(a))	\$385.00
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**2. Fee for Claims**

Multiple dependent claim(s) (37 C.F.R. § 1.16(d))	\$145.00
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**3. Surcharge Fees**

Late payment of filing fee and/or late filing of original declaration or oath (37 C.F.R. § 1.16(e))	\$65.00
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<b>4. Assignment (See "ASSIGNMENT COVER SHEET")</b>	<b>\$40.00</b>
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<b>Total Completion Fees</b>	<b>\$635.00</b>
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#### **SEQUENCE LISTING**

**V.** Attached are a computer readable copy and a paper copy of the sequence listings for this application as well as a statement confirming that the two are identical and that no new subject matter has been introduced.

#### **EXTENSION OF TIME**

**VI.** The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### **TOTAL FEE DUE**

**VII.** The total fee due is:

Completion fees	\$635.00
Extension fee (if any)	\$0.00
Total Fee Due	\$635.00

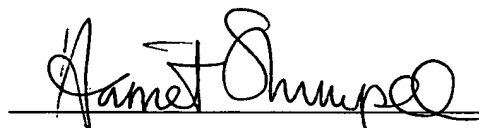
### **PAYMENT OF FEES**

**VIII.** Attached is a check in the amount of \$635.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 14-0740.

A duplicate of this paper is attached.

Date: February 10, 2004



Harriet M. Strimpel  
Registration No. 37,008  
New England Biolabs, Inc.  
32 Tozer Road  
Beverly, MA 01915  
978-927-5054  
Customer No. 28986



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**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for an original application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

Method for Cloning and Expression of SbfI Restriction Endonuclease and SbfI Methylase in E. coli

**SPECIFICATION IDENTIFICATION**

The specification was filed on September 22, 2003, as Serial No. 10/668,047.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

## POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**APPOINTED PRACTITIONER(S)**

Harriet M. Strimpel  
Gregory D. Williams

**REGISTRATION NUMBER(S)**

37,008  
30,901

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**SEND CORRESPONDENCE TO**

Harriet M. Strimpel  
32 Tozer Road  
Beverly, MA 01915  
Customer No. 28986

**DIRECT TELEPHONE CALLS TO:**

Harriet M. Strimpel  
(978) 927-5054, ext. 373

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

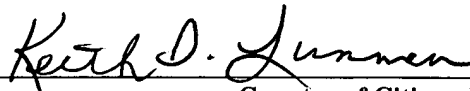
Keith D. Lunnen

Inventor's signature

Date 2/10/04

Residence Essex, MA

Post Office Address 20 Winthrop Street, Essex, MA 01929



Country of Citizenship US

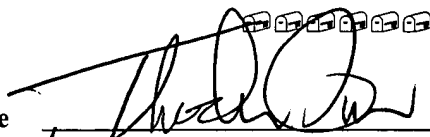
Theodore Davis

Inventor's signature

Date Feb. 10, 2004

Residence Boxford, MA

Post Office Address 139 Depot Road, Boxford, MA 01921



Country of Citizenship US



Geoffrey G. Wilson

Inventor's signature

Geoffrey Wilson

Date February 10, 2004

Country of Citizenship US

Residence ~~Boxford, MA~~ S. Hamilton, MA

Post Office Address ~~17 Partridge Lane, Boxford, MA 01921~~

23 CUTLER ROAD

S. Hamilton MA 01982